

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:18-cr-325-DPM-3

JAMES CORDELL SCOTT

DEFENDANT

ORDER

Scott moves for immediate release under 18 U.S.C. § 3582(c)(1)(A)(i) based on the risk that the ongoing COVID-19 pandemic presents to his health. Scott asked the Bureau of Prisons to file a compassionate release motion on his behalf and did not receive a timely response. *Doc. 114 at 2*. He can therefore seek relief from this Court. 18 U.S.C. § 3582(c)(1)(A).

Scott is a black man in his thirties. He's slightly overweight and has high blood pressure. His concerns about the virus are therefore valid. But the Bureau of Prisons has begun vaccinating staff and inmates. Leavenworth USP has fully vaccinated almost 250 inmates and staff and currently has only 16 positive cases. <https://www.bop.gov/coronavirus> (accessed 17 March 2021). The Court is therefore hopeful that the risk that COVID-19 presents to Scott and other prisoners at Leavenworth is declining. Further, Scott has served just half of his seven-year sentence. Reducing his sentence by

more than three years would not promote respect for the law, provide just punishment, reflect the seriousness of his offense, or adequately deter him and others. All material things considered, the statute's remedy – reducing Scott's sentence to time served – is not appropriate in this case. 18 U.S.C. §§ 3582(c)(1)(A)(i) & 3553(a). His motion, *Doc. 114*, is therefore denied.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.  
United States District Judge

24 March 2021